



# **New Instructor Training**

**State of Georgia  
DUI Alcohol or Drug Use Risk Reduction Program**

**Presented by  
Georgia Department of Driver Services  
Regulatory Compliance Division**

**April 28, 2010**



# Purpose

- **To educate new Risk Reduction Instructors of the following:**
  - The Regulatory Agency – Department of Driver Services
  - The Administrative Rules and Regulations governing the program

## DUI Alcohol or Drug Use Risk Reduction Program Facts



- The Georgia Department of Driver Services (DDS) is the agency statutorily responsible for administering Georgia's DUI Alcohol or Drug Use Risk Reduction Program.
- The Risk Reduction program moved to the Department of Driver Services from the Department of Human Resources in 2005 as a result of House Bill 501, the same law that created DDS.
- As of April 1, 2010, there were 209 certified Risk Reduction programs and 428 certified Risk Reduction instructors in Georgia.



# **Regulatory Compliance Division Mission Statement**

The Regulatory Compliance Division of the Department of Driver Services will positively impact the public's safety by facilitating the education of Georgia Drivers. The Division will provide regulatory and support services for all state-certified driver safety programs in a professional, customer-focused, and timely manner.



# Regulatory Compliance Division Management Team

- Michael B. Mitchell, Division Director
- Kecia Bivins, Program Administration Manager
- Jodie L. McLeod, Field Operations Manager



# Regulatory Compliance Division Program Administration Staff

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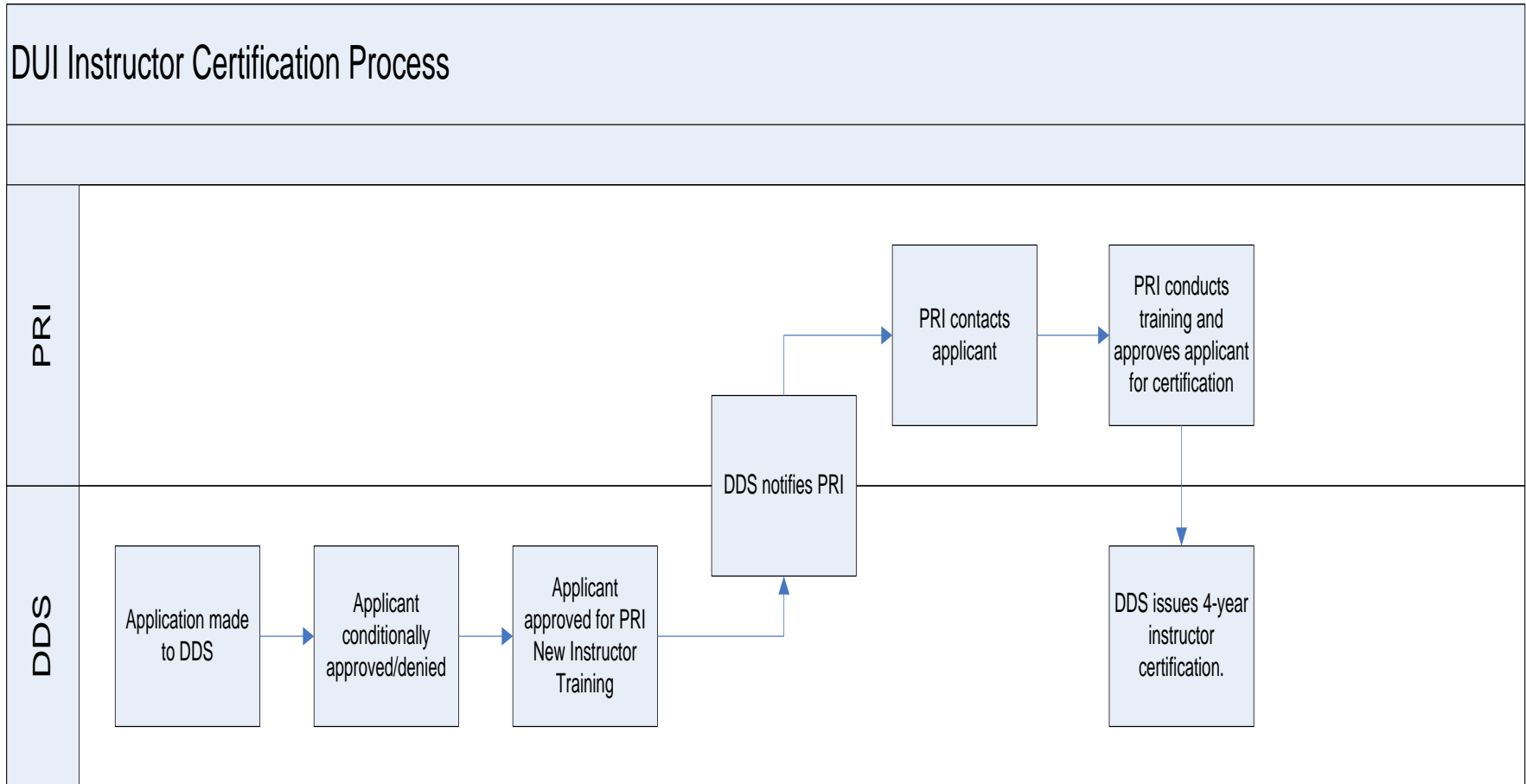
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# DUI Instructor Certification Process





# Ga. Admin. Comp. Ch. 375-5-6.03

## Exclusions



- **The following persons shall not be certified by the Department as a Program Owner, Director, or Instructor:**
  - Employee of the Department, the Georgia Department of Public Safety (DPS), Department of Human Resources, or any spouse, **dependent child, dependent stepchild, or dependent adopted child of such employee.**
  - Judge, public or private probation officer, employee, or agent, **bail bondsman, employee or agent of a bonding company,** law enforcement or peace officer, employee of a court in this state, or any spouse thereof, except for owners and instructors who have been continuously certified since July 1, 1990.
  - Person who owns, manages, operates, or is employed by a private company that has contracted to provide probation services for misdemeanor cases
  - Person whose certification would pose an actual, potential, or apparent conflict of interest due to the existence of any relationship that would place such person in a position to exert undue influence, exploit, take undue advantage of or breach the confidentiality of any student or offender.

# Ga. Admin. Comp. Ch. 375-5-6.03

## Exclusions



- **The following persons shall not be certified by the Department as a Program Owner, Director, or Instructor:**
  - Person who is neither a U.S. citizen nor a non-citizen who is lawfully present in the U.S.
  - Any Program Owner, Director, or Instructor shall notify the Department if he or she, his or her spouse, dependent child, dependent stepchild, or dependent adopted child has a change in employment status that creates an exclusion, as defined in this chapter, within 5 business days immediately following such event. The Department may suspend, revoke, or cancel any certification upon receipt of such notice.
  - Any Program Owner, Director, or Instructor shall notify the Department if he or she has a change in his or her immigration status that creates an exclusion within 5 business days immediately following such event. The Department may suspend, revoke, or cancel any certification upon receipt of such notice.



## **Ga. Admin. Comp. Ch. 375-5-6-.06**

### **Qualifications of Instructors**

- **Possess and maintain clear criminal record.**
- **Possess and maintain a safe driving record.**
- **Meet Academic and work experience qualifications:**
  - An undergraduate or graduate degree from an accredited college or university in a human service related field
  - An undergraduate degree in any field and 2 years work experience of teaching, counseling, or training or 3 years part time experience
  - At least 2 years of full-time work experience as a licensed, certified, or credentialed substance abuse counselor with at least 6 months of experience in group counseling or group facilitation
- **Be at least 21 years of age**
- **Be free from substance abuse and illicit drug use.**



## Ga. Admin. Comp. Ch. 375-5-6-.06

### Qualifications of Instructors

- Complete a minimum of 32 hours of continuing education in alcohol and drug training sponsored or approved by DDS every 4 years, 16 hours must be in DDS-designated refresher courses specific to program components. 16 of the required 32 hours are required biannually.
- It is your responsibility to track your continuing education hours and to renew your certification prior to expiration.



## Important Changes regarding Applicant Fingerprinting Process

- Georgia Bureau of Investigation no longer accepts or processes inked fingerprints (cards) for non-criminal justice applicant background investigations.
- Applicants that are interested in becoming a program owner, director, instructor, or third-party tester must submit fingerprints electronically.
- DDS is currently utilizing the Georgia Applicant Processing System (GAPS): <http://www.ga.cogentid.com/index.htm>
- Information related to the GAPS process is posted on the DDS website, [www.dds.ga.gov](http://www.dds.ga.gov), and on RCD applications.
- GAPS fee for RRP is \$52.90.



## **Ga. Admin. Comp. Ch. 375-5-6-.09 Instructor Application, Certification, and Recertification Requirements**

- No person may instruct in a Risk Reduction program without first being certified by the Department.
- Successfully complete Department designated instructor training by:
  - passing written examination with a score of **80%**
  - making a satisfactory oral presentation during the training course to demonstrate ability to teach the course
- The Department may issue a temporary Instructor Certification pending completion of the background investigation, provided all other requirements have been met. Said certification shall expire of the 91<sup>st</sup> day following issuance. Temps may be renewed at the discretion of the Department.



## Ga. Admin. Comp. Ch. 375-5-6-.09 Instructor Application, Certification, and Recertification Requirements

- Risk Reduction instructor certification is valid for a period of four (4) years, unless such certification is cancelled, suspended, or revoked.
- Applications for Instructor recertification shall be submitted to the Department **30-90 days prior to the expiration** of the existing certification. Instructor must provide proof that he or she has instructed at least **4 classes during the 4 year period**.
- No Instructor whose certification has expired shall instruct until a completed recertification application has been approved by the Department.
- If certification has expired, and remained expired for a period of more than 1 year, a new application must be submitted.

# Ga. Admin. Comp. Ch. 375-5-6-.09 Instructor Application, Certification, and Recertification Requirements



- All certifications are valid as long as the Instructor is actively engaged in instructing the Intervention component. Program Instructor ceases to be actively engaged in instruction when he or she fails to conduct a class for a period of 1 year.
- If within 6 months of applying for renewal, person has undergone a background investigation for another regulated program, he or she shall not be required to submit new fingerprints. DDS will utilize information obtained from the previous investigation in considering eligibility.





## Ga. Admin. Comp. Ch. 375-5-6-.13 General Instructor Responsibilities

- Facilitate all sessions of the intervention component except in cases of emergency.
- **Instruct for no more than 8 hours a day**
- Arrive at least 30 minutes prior to the beginning of each Session.
- Remain with the class during all class Sessions.
- Perform no other duties during class time, including answering the telephone, completing paperwork or administering assessments.
- Ensure that class sizes are in accordance with rules
- Conduct class free from the influence of alcohol or any illegal substance.

# **Ga. Admin. Comp. Ch. 375-5-6-.13**

## **General Instructor Requirements**



- Require all students attend for the mandatory 20 hours.
- Schedule breaks as outlined in the syllabus.
- Provide a minimum 1 hour meal break between class sessions; meal break is in addition to the required hours of class instruction.
- Require students to sign a class roll at beginning of each Session.
- Require each student arrive on time for each Session
- Read the requirements for successful completion of the program at the 1<sup>st</sup> Session.
- Provide each student with a new and unused workbook at the 1<sup>st</sup> Session.
- Personally administer and grade the post tests before issuing certificates of completion.



## **Ga. Admin. Comp. Ch. 375-5-6-.13**

### **General Instructor Requirements**

- Ensure a certificate is immediately issued to each student who successfully completes all program requirements.
- Utilize an up-to-date instructor's manual and audiovisuals during all class sessions.
- Cover all material contained in the curriculum in sequence as outlined by the course syllabus without using outside material.
- **Make available to each student written information containing the names, telephone number, and addresses of local referral to alcohol/drug treatment resources and self help support groups.**
- Participate in program evaluation and research as directed by the Department.
- Ensure that no student is subject to solicitation for any product or service during the intervention component.
- Deliver the curriculum in a professional manner that is conducive to learning.

# Structure of the Georgia Risk Reduction Program



- The Georgia Risk Reduction program consists of two components: the Assessment Component and the Intervention Component.
- The only Risk Reduction assessment provider certified by the Department of Driver Services is ADE, Incorporated.
- The only Risk Reduction intervention provider certified by the Department of Driver Services is Prime For Life, Incorporated.

# Ga. Admin. Comp. Ch. 375-5-6-.14

## Assessment Component



- **Programs shall only use the Assessment Component designated by the Department.**
- **An Assessment Component contract between the Program and Student/Offender must be executed before the Assessment Component can be administered.**
- **Assessments must be conducted in accordance with the following criteria:**
  - All persons attending the program must be assessed
  - Assessments must be processed at least 30 minutes before the beginning of the first Intervention Session.
  - Assessments results may not be transferred between programs except in the following situations:
    - a class for which a student has signed contract has been canceled
    - **the student has moved at least 30 miles away.** The fee for transferring results due to Student relocation shall be **no more than \$25.**
    - there is an emergency and prior approval by the department has been obtained

# Ga. Admin. Comp. Ch. 375-5-6-.14

## Assessment Component



- Assessments shall be administered in accordance with the assessment directions and materials approved by the Department.
- Each program shall retain proof of its authorized use of assessment instruments and must use the assessment instrument only for the purpose of assessing students attending the program.
- Assessments shall only be administered at the approved program premises, in a manner that affords privacy of the individual being assessed and that facilitates concentration and freedom from distractions.
- The individual results of the assessments are to be confidential and must only be discussed in private with the individual assessed.
- Students must be informed that the assessment is valid for 1 year, that failure to enroll in the intervention component within that time will result in the need for another assessment with payment . Any subsequent convictions within the 1 year period or thereafter will require a separate assessment.

# Ga. Admin. Comp. Ch. 375-5-6-.14

## Assessment Component



- Assessment instruments shall be coded in accordance with instructions provided by the Department.
- Each program must maintain a monthly roster of all offenders assessed, including those who did not sign an Intervention contract, did not return for class after signing a contract, or have not attended all class Sessions.
- Completed original assessment rosters and rebate fees for each calendar month shall be sent to the Department in time for them to be received by the 10<sup>th</sup> calendar day of the following month.
- Each program shall maintain copies of the monthly assessment rosters and copies of rebate checks mailed to the Department.
- Illiterate and/or disabled Students/Offenders shall be reasonably accommodated in the administration of the Assessment Component.



## **Ga. Admin. Comp. Ch. 375-5-6-.15**

### **Intervention Component**

- Programs shall only use the Intervention Component designated by the Department.
- An Intervention Component contract between the Program and Student /Offender must be executed before the Intervention can be administered.
- The Intervention shall only be taught by certified Instructors.
- The Intervention shall be conducted in accordance with the following requirements:
  - Programs shall schedule the Intervention Component so that all Sessions are completed within 4 weeks, with no more than 2 sessions scheduled in a single day.
  - A one-hour meal break is scheduled between each session when more than one session is held on a day.





## Ga. Admin. Comp. Ch. 375-5-6-.15 Intervention Component

- Intervention Component course delivery, content and sequence of instruction shall be in accordance with the Department designated Instructor's manual.
- The Intervention Component shall have a **minimum of five (5)** paid contract for students planning to attend the scheduled course dates and can have no more than the maximum allowed by the Program's Certification, up to a **maximum of thirty (30)** Students.
- The Intervention Component may be instructed, canceled, or rescheduled at the discretion of the Owner if fewer than five (5) Students appear for the first Session.
- No students from one Intervention Component may be combined with students from another class to complete Sessions of a course. However, a student with an excused absence may attend an Intervention Component other than the one he/she started for the purpose of completing the missed Sessions. An absence is considered excused if the Student is called for military duty, has a personal medical emergency or a medical emergency involving an immediate family member, or there is a death in the Student's immediate family. Other absences may be excused at the Program Owner's discretion.



## **Ga. Admin. Comp. Ch. 375-5-6-.15**

### **Intervention Component**

- All students must be required to attend class for the entire 20 hours, and no student may be admitted late or dismissed early from any Session.
- Interventions must be held in accordance with the course schedule on file with the Department. Schedule amendments shall be submitted to the Department at least 5 business days prior to the beginning of any impacted class.
- Programs must schedule classes so as to minimize the possibility that any class will have to be cancelled due to lack of enrollment.
- A class roll following a format designated by the Department must be signed by each Student and Instructor at the beginning of each Session.
- Illiterate and/or disabled students/ offenders must be reasonably accommodated.



# Important Instructor Points

- Co-teaching requires each instructor to be present for all class sessions
- CANNOT substitute a Risk Reduction course for Defensive Driving.
- Instructors CANNOT teach class in two languages simultaneously.



## **Ga. Admin. Comp. Ch. 375-5-6-.22**

### **Student Contracts**

- Each program and Student / Offender shall enter into a written contract for both the Assessment Component and the Intervention Component.
- The original Assessment and Intervention contracts shall be maintained by the Program for a period of 5 years form the date of execution.
- All Assessment and Intervention contracts shall be pre-numbered, shall follow a format prescribed by the Department, and shall contain all information and provisions required by the Department.
- A copy of the completed Assessment and Intervention contract between the Program and the Student/Offender shall be furnished to the Student/ Offender prior to the delivery of any service.

## **Ga. Admin. Comp. Ch. 375-5-6-.23**

### **Certificates of Completion**

- Certificates of completion shall be issued immediately to Students/Offenders who successfully complete Program requirements, in the manner prescribed by the Department
- Programs may request paper certificates of completion from the Department, in the manner prescribed by the Department
- Paper certificates of completion sent to Programs shall be accompanied with a receipt, which must be signed by the Program Owner or Director and returned to the Department prior to additional paper certificates being issued.
- All paper certificates of completion shall bear the hand written legal signature of the Instructor.
- All information contained on the paper certificate shall be complete and accurate.
- Each Program shall record the paper certificate number on the class roster in numerical order.

## **Ga. Admin. Comp. Ch. 375-5-6-.23**

### **Certificates of Completion**

- Each Program shall record any voided paper certificates in numerical order, attach to the class roster, and forward to the Department within 15 business days immediately thereafter. Failure to forward a voided certificate to the Department in accordance with the provisions of this paragraph may result in an administrative fine, suspension, or the Program's certification, or both.
- No certificate of completion shall be issued to a Student prior to successful completion of the Intervention Component.
- Each Program shall maintain paper certificates in a secure location until they are issued to Students.
- Each Program must be able to, at all time, account for the number of paper certificates issued to it.
- Each Program shall notify the Department if any paper certificate is lost, stolen, or cannot be accounted for within 48 hours of discovery. Failure to report such an event to the Department within 48 hours of discovery may result in an administrative fine, Suspension, and/or Revocation of the Program's Certification.



## Ga. Admin. Comp. Ch. 375-5-6-.23

### Certificates of Completion

- Replacement certificates shall be made upon a form prescribed by the Department and titled "Replacement Certificate."
- Replacement certificates shall be provided to a Student/Offender **within 5 business days** of such request.
- Programs shall verify their records to confirm that each Student has completed the Intervention Component prior to issuing a replacement certificate.
- Replacement certificates of completion shall only be signed by the Program Owner, Program Director, or the Instructor that taught the class.
- Programs may charge **a fee up to \$20.00** for a replacement certificate.
- Fraudulent falsification or alteration of program records, including certificates of completion and replacement certificates may result in Cancellation, Suspension, or Revocation of Program, Owner, or Instructor's Certification. Additionally, the Department may impose civil penalties and/or pursue criminal charges.



## **Ga. Admin. Comp. Ch. 375-5-6-.28**

### **Inspections, Investigations, and Program Monitoring**

- The department is authorized to inspect, monitor, and investigate Programs to determine compliance with Rules and Regulations of the Department.
- Program Owners, Directors, Instructors, staff, employees, representatives, and any agents thereof, shall cooperate with any inspection, or investigation by the Department and shall provide, without delay, any information reasonably requested by the Department.
- Programs shall be notified of deficiencies in writing and advised of the target deadlines for remediation thereof.



## Ga. Admin. Comp. Ch. 375-5-6-.17

### Program Name



- No program may use the word “state” in any part of its name or suggest that it is owned, operated, or endorsed by the state. A program may not use as its adopted business name “A DUI Alcohol or Drug Use Risk Reduction Program” or “Risk Reduction Program” or any generic reference to the Program without additional modifiers in the name.

# **Ga. Admin. Comp. Ch. 375-5-6-.25**

## **Program Advertising and Solicitation**



- A Program must be certified by the Department in order to advertise in any manner.
  - Program advertisement shall contain the Program's approved certified name and certification number.
  - No Program shall advertise in any manner that is false or misleading.
    - Shall not make false or misleading claim (s)
    - Shall not contain statements that suggest or imply that the Program is affiliated with or endorsed by the Department or any other governmental entity
    - That reinstatement of a driver's license is guaranteed to Students or Offenders enrolling in a particular Program
    - Free or reduced fees will be given to Student or Offender

# **Ga. Admin. Comp. Ch. 375-5-6-.25**

## **Program Advertising and Solicitation**



- Programs shall not use the logo of the Department, any logo or symbol of any other governmental entity, or the seal of the State of Georgia in any advertising or on any Program stationary or correspondence
- No Program Owner, Director, Instructor, employee or agent shall directly or indirectly solicit business personal solicitation on public property, by phone or by mail
- Exception – An Applicant for Program Owner, upon submitting a completed application to and obtaining written authorization from the Department, may advertise in accordance with this chapter if there is a reasonable expectation that the Program will be certified.

# Ga. Admin. Comp. Ch. 375-5-6-.11

## Program Employees



- Each Program employee, volunteer, agent, or representative who provides any Program service to Offenders or Students, has access to Program records, or who has telephone or face to face contact with Offenders or Students shall meet the following requirements:
  - Be at least eighteen (18) years of age
  - Sign a confidentiality statement provided by the Department agreeing to hold the identify of Students and offenders and Student records confidential
  - Sign a statement cosigned by the Program Owner that the employee has received orientation on these rules and operations guidelines relevant to that employee's job duties
  - Never have been found to have participated in the falsification of records, issuance of false or fraudulent certificates, or the theft of certificates from a certified Program.
- The Department may cancel, suspend, or revoke the Certification of any Program if it is determined that the Program or Program employees, volunteers, agents, or representatives have violated any provisions of this chapter.

# Ga. Admin. Comp. Ch. 375-5-6-.12

## General Program Responsibilities



- In addition to meeting all other program requirements, every Program Owner and director is responsible for the following:
  - Providing services for the Assessment and Intervention components of the Program
  - The actions of all Program employees, volunteers, agents, representatives, and Instructors carried out within the scope of employment
  - Maintaining for every Director, Instructor, employee, volunteer, agent, or representative a personnel folder containing their job application, signed statements required by the rules and if applicable, a copy of each Instructor's current Certification
  - Ensure that all Students or Offenders know where and how to obtain information about alcohol/drug treatment resources and self-help support groups
  - Ensuring Students or Offenders know where and how to obtain information about clinical evaluators certified by the Georgia Department of Human Resources
  - Training all Program employees, volunteers, agents, or representatives who have contact with Students or Offenders to provide accurate information regarding the Program and to maintain Student confidentiality



## **Ga. Admin. Comp. Ch. 375-5-6-.12**

### **General Program Responsibilities**

- Participating in Program evaluations and research projects, as directed by the Department
- Prohibiting the solicitation of Students or Offenders for insurance, legal services, bail bonds, specific clinical evaluators or treatment providers, ignition interlock providers, or any product or service
- Ensuring the quality of instruction and delivery of the Program in a professional manner conducive of learning
- Ensuring that each Student receives a new and unused copy of the required student workbook
- Ensuring that a certificate of completion is immediately issued to each Student who successfully completes all Program requirements.

# Ga. Admin. Comp. Ch. 375-5-6-.26

## Fees



- Fees charged to students by programs for any program component will be in strict accordance with O.C.G.A. 40-5-83(e).
- An additional fee shall be set by the department for required student program materials. This fee must be charged by each program. It is not optional unless specifically exempted by law.
- No Program Owner, Director, Instructor, employee, volunteer, agent, or representative may offer any Program component free of charge or charge a reduced or inflated fee for any Program component or required Student Program materials
- Fees for the Assessment Component shall be paid prior to administering the Assessment Component; and fees for the Intervention Component shall be paid prior to the scheduled class beginning time
- No Program Owner, Director, Instructor, employee, volunteer, agent, or representative shall withhold, or allow the withholding of a certificate of completion from any Student who successfully completes all Program requirements because of non-payment of course fees.

## **Ga. Admin. Comp. Ch. 375-5-6-.27**

### **Assessment Fees**



- Each Program shall remit the statutorily required portion of the assessment fees to the Department, in the manner prescribed by the Department, as required by law



# Ga. Admin. Comp. Ch. 375-5-6-.18

## Program Location and Facilities



- Programs shall only operate in locations that have been certified by the Department
- Programs shall only hold Courses in classrooms that have been certified by the Department
- No Program applying for Certification shall share the same entrance with, or be immediately adjacent to, a facility where alcoholic beverages are sold or distributed
- No Program office or classroom shall be located within a retail business establishment or a private residence
- Program offices and classrooms shall be located on the same premises (*Exception – Satellite locations*)
- Program facilities shall include the following:
- Clean working restrooms, window coverings for windows or glass doors for Student privacy, adequate lighting, heating and air conditioning, a TV or Projector/projection screen, media equipment and visual displays for presentation of curriculum, secure file storage and any other equipment as designated by the Department



## Ga. Admin. Comp. Ch. 375-5-6-.18 Program Location and Facilities

- Program Offices cannot be open during class time, unless Program office activities can be conducted without disrupting a class
- Full Program name and business hours shall be displayed and clearly visible from outside of the premises
- Program classroom must have a minimum of 250 square feet of usable space
  - 250 square feet = 10 students
  - Programs that exceed 250 square feet will be certified services at twenty (20) square feet per person up to a maximum of thirty (30) students
- Program's Certification shall be displayed in a conspicuous location on the premises of the program

# Ga. Admin. Comp. Ch. 375-5-6-.18

## Program Location and Facilities



### ➤ **Satellite Locations**

- Programs that are in compliance with the Rules and Regulations of the Department may apply to operate satellite location
- No Satellite program shall operate without first being certified by the Department
- Applications shall be submitted on forms prepared by the Department, following the procedure prescribed by the Department, shall include all information and fees; and shall be truthful, accurate, and complete
- Programs shall be located within fifty (50) miles of the Program that is operating the satellite program
- Multiple satellite programs may operate in the same county
- Satellite location shall meet all location and facility requirements as outlined in the rules with the exception of:
  - Student or Offender records may be maintained at the Program location
  - Programs may use the telephone number of the Program location
  - Programs may perform administrative duties at the main Program location



## Ga. Admin. Comp. Ch. 375-5-6-.20

### Change of Program Location

- Each Program owner shall **notify** the Department **in writing** at least **thirty (30) days prior to any change in the Program location**
- No change shall be approved by the Department without a site inspection of the new premises
- No Program shall operate in any location until Certification has been granted by the Department
- At least **thirty (30) days** prior to a change in location approved by the Department, all Students who have been assessed within **one (1) year** prior to the move who have not started or completed the Program shall be notified, in writing, of the Program relocation
- If a Program relocates **ten (10)** or more miles from its original location, the Assessment Components completed by Students within **one (1) year prior to the move** that have not started or completed the Program shall be **transferred to another Program of the Student's choice at no charge.**
  - Student's may cancel their Intervention Component contracts with a Program that is relocating
  - They shall receive a full refund upon such cancellation

# Ga. Admin. Comp. Ch. 375-5-6-.20

## Change of Program Location



- Upon applying to the Department for a change of location, the Program shall post a notice of its request to move the Program
  - Notice shall be clearly displayed at the Program location
  - Proposed new location shall be specified in the notice with the complete address and mileage distance from the present location
  - Notice shall also inform Students of their right to transfer to another program, and to cancel their Intervention Component contract with the Program and receive a full refund
- Any Program that has applied for a change of location shall provide written notice to any prospective Student or Offender prior to executing an Assessment Component or Intervention Component contract.
- No Program relocation shall cause any Student to have Sessions of an intervention course in more than one location, except in cases of emergency. Program shall report emergency relocations to the Department within 5 business days

## Ga. Admin. Comp. Ch. 375-5-6-.21 Program Closure



- Any Program that intends to permanently cease operations shall notify the Department, in writing, at least **thirty (30) days prior** to such date. The notification to the Department shall include the Program's closing date.
- Any Program that intends to permanently cease operations shall post a notice of its intent to close in a conspicuous area at the Program location, at least **thirty (30) days prior** to such date.
  - Notice should include the Program's date of closure
  - Advise Students and Offenders that have completed and Assessment Component within the previous year, but have yet to begin the Intervention Component, of their right to cancel their Intervention Component contract with the Program, receive a full refund, and have their Assessment Component results transferred to a different Program of their choice free of charge.

# Ga. Admin. Comp. Ch. 375-5-6-.21

## Program Closure



- Any Program that intends to permanently cease operation, within **five (5)** business days immediately following notification to the Department, shall notify all Students or Offenders who have completed a Assessment Component with their Program during the previous year, but have not started or completed the Intervention Component, of the closure, in writing.
  - Notification to Students and Offenders shall include the Program's date of closure
  - Inform the Students and Offenders of their right to cancel their Intervention component contract with the program, receive a full refund, and have their Assessment Component results transferred to another Program of their choice free of charge
- Any Program that intends to cease operations shall provide written notice of its intent to close to all prospective Students or Offenders prior to executing and Assessment Component or Intervention contract

# Ga. Admin. Comp. Ch. 375-5-6-.21

## Program Closure



- Any Program that permanently closes operations shall, within three (3) business days following the date of closure, relinquish the following materials to the Department:
  - Official Program Certification
  - All unused certificates of completion and replacement certificates of completion
  - All Program Records, including assessment results, of Students who were assessed at the closed Program within the last year, but who did not complete the Intervention Component at the Program
  - A sample copy of the letter sent to the Students received notifying them of the closure of the Program
  - Program card files or a printout of the computer card files for the past five calendar years
  - Any other Program records designated by the Department



# Ga. Admin. Comp. Ch. 375-5-6-.21

## Program Closure



- Temporary Closures
  - Programs may request to temporarily cease operations for a period of up to ninety (90) days
  - Programs that are approved by the Department to temporarily cease operations shall comply with all requirements as outlined in this chapter
  - Programs shall be responsible for all cost associated with the shipment of materials to and from the Department during a period of temporary suspension of operations



## Ga. Admin. Comp. Ch. 375-5-6-.19 Program Hours of Operation

- Each Program shall maintain business hours of at least **fifteen (15) hours** per week
- Each Program shall notify the Department of its business hours upon application for Certification
- Each Program shall report any deviations from the program's set business to the Department in writing, at least **forty-eight (48) hours** in advance, except in cases of emergency
- Program staff shall be available during business hours to answer the telephone, furnish information about the Program's operation, verify services provided, and to produce records and documentation requested by the Department



## **Ga. Admin. Comp. Ch. 375-5-6-.24**

### **Confidentiality of Records**

- All Program records that identify any Student or Offender by name or inference shall be maintained as confidential and shall not be released to any person, other than the Department, without the written consent of the Student/Offender or upon court order



## Ga. Admin. Comp. Ch. 375-5-6-.16 Program Records

- **Confidentiality** – Program records shall be maintained in accordance with the **confidentiality provisions of 375-5-6-.24**
- **Required records** – Each Program shall maintain and make available and accessible for inspection and copying by the Department the following records for the periods set forth below:
  - **Assessment Roster Files**
    - Retained for a period of twenty-four (24) months
    - Monthly assessment rosters and copies of rebate checks
    - Organized chronologically by month and calendar year



# Ga. Admin. Comp. Ch. 375-5-6-.16

## Program Records

- Class Files
  - Labeled with the class dates and maintained in chronological order by dates of the class
  - Original class roll and Program copy of the class roster
- Student file - Shall be maintained for each Student enrolled in any Program component:
  - Original assessment contract
  - Assessment answer sheet
  - Assessment results
  - Assessment summary sheet
  - Student information sheet
  - Original Intervention contract
  - Graded Intervention post test
  - Certificate of completion
  - Replacement certificates of completion (if applicable)
  - *Any other documents that pertain to the student*

*Class files, class rosters, and assessment results shall be maintained for a period of five (5) years*



# **Ga. Admin. Comp. Ch. 375-5-6-.16**

## **Program Records**

- Comprehensive Student and Offender List
  - Maintained for a period of five (5) years
  - A comprehensive Student and Offender list reflecting everyone to whom it has provided any service
  - May be contained in a card file, computer database or other media
  - Shall be maintained in alphabetical order by Student name and shall contain the following information about each Student/Offender:
    - Name, address, and phone number (s)
    - Driver's license number and social security number
    - Date of Birth
    - Date of Assessment
    - Class dates and date of class completion
    - Certificate of Completion number
    - Date of issuance of any replacement certificates of completion
- Records for those assesses who have not enrolled in a class shall be placed in the assessment roster file with the appropriate moth's assessment roster



# Ga. Admin. Comp. Ch. 375-5-6-.16

## Program Records

- **Submittal of Program records to the Department**
  - Each Program shall submit the following records to the Department at the intervals set forth;
    - Intervention Component course rosters – within **15 Days** of class completion
    - Should no Assessment Components be administered during a month – Assessment roster marked “no assessments” shall be submitted by the **10<sup>th</sup>** day of the month following the report month
    - Department may require all Programs to submit and/or store records electronically
    - Records submitted shall bear the handwritten legal signature of the Program Owner, Director, or Instructor



## Ga. Admin. Comp. Ch. 375-5-6-.16 Program Records

- Transfer of assessment results to clinical evaluators
  - Programs shall transfer by fax or mail a copy of the Assessment Component results of any Offender to any clinical evaluator designated by the Offender within **five (5)** business days of the receipt by the Program of a written release.
  - Programs may charge a fee up to **\$25** for the transfer of the Assessment Component results.





## **Ga. Admin. Comp. Ch. 375-5-6-.29**

### **Enforcement of Program Requirements**

- **The Department shall have the authority to deny, cancel, suspend, or revoke the Certification of any Program or Program Owner, Director, or Instructor for noncompliance with the Rules and Regulations of the Department; or assess administrative fines against any Program for non-compliance with the Rules and Regulations of the Department.**

## Ga. Admin. Comp. Ch. 375-5-6-.29 Enforcement of Program Requirements

### ➤ **Choice of Revocation or Suspension**

- The Department, in its discretion, may choose whether to impose Suspension or Revocation against a Program or Instructor. In considering which to impose, the Department may consider;
  - The Program or Program Owner, Director or Instructor's history of compliance
  - The seriousness of the violations
  - Whether the Program or Program Owner, Director, or Instructor voluntarily reported to the Department problems giving rise to any violation
  - Whether the Program or Program Owner, Director, or Instructor exhibited good faith efforts to correct areas of noncompliance prior or subsequent to their discovery by the Department

## **Ga. Admin. Comp. Ch. 375-5-6-.29**

### **Enforcement of Program Requirements**

- Administrative Fines
  - The Department has the authority to assess an administrative fine, not to exceed \$1,000.00 per violation, against any Program or Program Owner, Director, or Instructor that fails to comply with any Program requirement.
  - In determining the amount of the fine, the Department may consider the seriousness of the violation, whether the same or any other Rule or Regulation has been violated previously by the same Program or Program Owner, Director, or Instructor, and whether procedures designated to prevent the violation were in place and were followed.



## **Ga. Admin. Comp. Ch. 375-5-6-.29**

### **Enforcement of Program Requirements**

- Effectuation of Suspension or Revocation
  - Any Program whose Certification is canceled, suspended, or revoked by the Department shall return its Certification and unused certificates of completion to the Department within **five (5)** business days immediately following such event.



## Risk Reduction Forms Bundle

- **Certified Program Owners and Program Directors may request any of our updated forms/ templates by contacting us at [reginfo@dds.ga.gov](mailto:reginfo@dds.ga.gov) or 678-413-8745.**



Georgia